



UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

-----X
UNITED STATES OF AMERICA,

-against-

ANTONIO HILARIO MACKAY,

Defendant.
-----X

A P P E A R A N C E S

UNITED STATES ATTORNEY

Benton J. Campbell

United States Attorney

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Brooklyn, New York 11201

By: Steven Leo D'Alessandro, Esq.
Attorney for Plaintiff

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By: Bernard Alan Seidler, Esq.
Attorney for Defendant

JOHNSON, Senior District Judge:

Presently before the Court is a Report and Recommendation ("Report") prepared by Magistrate Judge Steven M. Gold. Judge Gold issued the Report on July 14, 2008, and provided the parties with the requisite amount of time to file any objections. Defendant Antonio Hilario Mackay ("Defendant") timely filed objections to the Report on August 15, 2008. The government did not file any objections to the Report. For the reasons stated herein, this Court affirms and adopts the Report in its entirety.

A district court judge may designate a magistrate judge to hear and determine certain motions pending before the Court and to submit to the Court proposed findings of fact and a recommendation as to the disposition of the motion. See 28 U.S.C. § 636(b)(1). Within 10 days of service of the recommendation, any party may file written objections to the magistrate's report. See Id. Upon *de novo* review of those portions of the record to which objections were made, the district court judge may affirm or reject the recommendations. See Id. The Court is not required to review, under a *de novo* or any other standard, the factual or legal conclusions of the magistrate judge as to those portions of the report and recommendation to which no objections are addressed. See Thomas v. Arn, 474 U.S. 140, 150 (1985).

Defendant objects to the Report based on the fact that he disagrees with Judge Gold's findings that the police had probable cause to search the Defendant's person and the trunk of the Defendant's car. After reviewing Judge Gold's Report and Defendant's objections, and after reviewing *de novo* those portions of the record to which the objections were made, the Court concludes that Defendant has not raised any new arguments that would convince this Court to reject Judge Gold's well-reasoned recommendations.

Accordingly, this Court adopts the Report in its entirety. The motion to suppress is
DENIED.

SO ORDERED.

Dated: September 5, 2008
Brooklyn, NY

/s/(SJ)

Senior United States District Judge